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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Alan J. LIPTON

Application No.: 09/694,712

Confirmation No.: 3252

Filed: October 24, 2000

Patent No. 6,954,498

Issued: October 11, 2005

For: INTERACTIVE VIDEO
MANIPULATION

Art Unit : 2613

Examiner: Vu Le

Atty. Docket No. 37112-164994

Customer No. 26694

Request for Recalculation of Patent Term Adjustment under 35 U.S.C. § 1.705(d)

Commissioner for Patents
Mail Stop Patent Extension
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

This Request for Recalculation of the Patent Term Adjustment is being submitted in accordance with 37 C.F.R. § 1.705(d). Determination of patent term adjustment under 35 U.S.C. § 154(b) listed on the above-identified patent states that the patent term adjustment for this patent is 930 days. The patent term adjustment, however, should be 1022 days. Applicant believes that the calculation of Applicant delay of 92 days attributed to the filing on July 12, 2005 is incorrect. According to PAIR, this delay was accrued upon the filing of a "Miscellaneous Incoming Letter" on July 12, 2005. This paper was a Response to the Interview

Summary held on June 16, 2005, in which Applicant was given 30 days to respond to the

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the substance of the Interview. As the Response was required by the Office and the Response was timely filed on July 12, 2005, Applicant respectfully submits that the filing of this paper is not a failure to engage in reasonable efforts to conclude prosecution and should not result in any Applicant delay. Accordingly, it is believed that the proper Patent Term Adjustment is 1022 days, as indicated in the Notice of Allowability of May 18, 2005.

Please charge our deposit account number 22-0261 for the \$200 petition fee. It is not believed that any further fees are due, but in the event that such fees are necessary, the Office is authorized to charge our deposit account number 22-0261.

Recalculation and correction of the Patent Term Adjustment are respectfully requested.

Respectfully submitted,



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